

Chief Judge Mark L. Barreca  
Chapter 11  
Hearing: December 17, 2020 @ 9:30 a.m.  
Response Date: December 10, 2020  
TELEPHONIC

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:

TIMOTHY D. EYMAN,

Debtor.

No. 18-14536-MLB

MOTION TO RE-CLOSE CASE with  
DECLARATION OF TIM EYMAN and  
NOTICE OF HEARING AND PROOF  
OF SERVICE

**NOTICE OF HEARING and PROOF OF SERVICE**

PLEASE TAKE NOTICE that an issue of law in this case will be heard on  
the date below and the clerk is directed to note this issue on the appropriate  
calendar.

**Calendar Date and Time: Thursday, December 17, 2020, at 9:30 AM**  
Response Date: December 10, 2020

The hearing is scheduled to take place telephonically due to COVID-19  
precautions:

**Instructions**

- (1) Dial: 1-888-363-4749. For hearings held at the hour, please call in 10 minutes  
before the hour to avoid AT&T conference call congestion.
- (2) Enter Access Code: 9365479#
- (3) Press the # sign
- (4) Enter Security Code when prompted: 8574#
- (5) Speak your name when prompted

**Guidelines**

- (1) Use a land line phone and not a cell phone, if possible. Do not use a speaker  
phone and do not use "hands-free" if using a cell phone.

- 1 (2) Make the call from a quiet area where background noise is minimal.  
2 (3) Mute your phone until the judge calls your case before speaking. (press “\*6” to  
3 mute or unmute.)  
4 (4) Do not put the phone on hold at any time after the call is connected.  
5 (5) In the event you are unable to connect to the conference call after following the  
6 above procedures, please contact chambers at (206) 370-5310.

7 If no responses are filed by the Response Date, the court may enter an  
8 order granting the requested relief without further notice or conducting the hearing  
9 set forth above. Copies of this Motion and the Proposed Order have been emailed  
10 via the Court’s CM/ECF Notice and mailed on this date to all other parties on the  
11 attached mailing matrix.

12 DATED this 24<sup>th</sup> day of November, 2020.

13 /s/ Larry B. Feinstein

14 Larry B. Feinstein WSBA # 6074  
15 Kathryn P. Scordato, WSBA #41922  
16 Attorneys for Debtor

17 **MOTION**

18 COMES NOW the Debtor, Timothy D. Eyman, by and through his attorney,  
19 Vortman & Feinstein, and applies to for final decree as follows:

20 A Plan of Reorganization in these proceedings was confirmed on April 8,  
21 2020 (ECF #274), and this case was closed on July 14, 2020 (ECF #297) pursuant  
22 to. 11 U.S.C. §350(a) and Federal Rule of Bankruptcy Procedure 3022. This case  
23 was reopened on October 2, 2020 (ECF #303), for the sole purpose of filing the  
24 Debtor’s Motion for Sale of the marital home to Karen Eyman as part of their  
dissolution. The State raised numerous objections to the sale, which were  
presented to Mrs. Eyman. The original hearing date was continued to give her an

1 opportunity to consider her options. She declines at this time to revise her offer to  
2 meet the objections by the State, and has rescinded her prior offer. The Motion  
3 was stricken. The Debtor believes that it is highly unlikely that Mrs. Eyman will  
4 make another offer on the home for terms agreeable to the State. Mr. Eyman is  
5 otherwise current on his plan payments and there is no reason to continue to keep  
6 the case open at this time.

7 Accordingly, the Debtor requests that this case be reclosed.

8 DATED this 24<sup>th</sup> day of November, 2020.

9 /s/ Larry B. Feinstein  
10 Larry B. Feinstein WSBA # 6074  
11 Attorney for Debtor

12 **DECLARATION OF TIMOTHY D. EYMAN**

13 I, Timothy D. Eyman, duly sworn upon oath under penalty of perjury under  
14 the laws of the State of Washington, deposes and says as follows:

15 I am the Debtor in these proceedings and I make this Declaration as such.  
16 All of the facts contained in the above motion are true and correct to the best of  
17 my knowledge and belief, and said facts are incorporated into this Declaration by  
18 reference. To the best of my knowledge, there are no further motions or issues to  
19 resolve at the present time, and I am current on my Plan payments. I hereby  
20 request that this case be administratively re-closed.

21 DATED this 24<sup>th</sup> day of November, 2020.

22 /s/ Timothy D. Eyman  
23 Timothy D. Eyman, Debtor